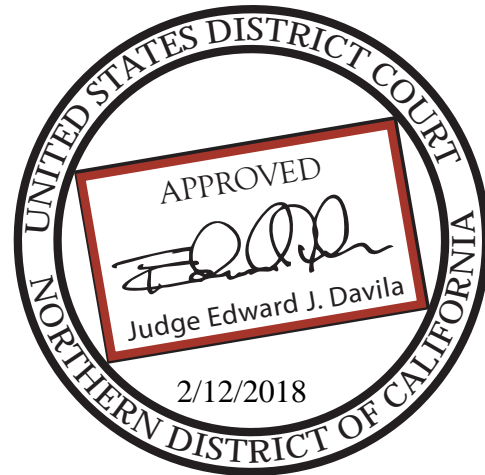


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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20
21

22 TIBCO SOFTWARE INC.

23 Plaintiff,

24 vs.

25 GAIN CAPITAL GROUP, LLC; and Does 1
to 10 inclusive,

26 Defendants.
27
28

CASE NO. 5:17-CV-03313-EJD

**JOINT STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND EXTEND DEADLINES**

1 Plaintiff TIBCO Software Inc. ("TIBCO") and Defendant GAIN Capital, LLC ("GAIN"),
2 through their respective attorneys of record, hereby stipulate and agree as follows:

3 1. The parties have a private mediation scheduled with Judge Cahill at JAMS in
4 San Francisco on February 13, 2018;

5 2. The parties agree to extend TIBCO's deadline to oppose GAIN's motion to
6 dismiss until February 26, 2018 and that GAIN's reply to its motion to dismiss shall be due
7 by March 12, 2018; and
8

9 3. Given the scheduled mediation and the resulting prospect of resolving the
10 case, the parties agree to continue the Case Management Conference scheduled for March
11 8, 2018 to April 26, 2018, the same day as the hearing on GAIN's motion to dismiss, or a
12 date thereafter that is convenient for the Court.
13

14 Based on the foregoing, the parties hereby respectfully request that:

15 1. TIBCO has until February 26, 2018 to file an opposition to GAIN's motion
16 to dismiss;

17 2. GAIN has until March 12, 2018 to file a reply to GAIN's motion to dismiss;

18 3. The Case Management Conference scheduled for March 8, 2018 be
19 May 31 at 10:00 a.m.
20 continued to April 26, 2018 or a date thereafter that is convenient for the Court; and
21

22 4. The March 1, 2018 deadline to file a Joint Case Management Statement and
23 other associated deadlines be continued based on the date of the continued Case Management
24 Conference.
25

26 **IT IS SO STIPULATED.**

27 ///

28 ///

1 DATED: February 12, 2018

MCGUIREWOODS LLP

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By: /s/Jamie D. Wells

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Jamie D. Wells

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Attorneys for Plaintiff

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TIBCO Software Inc.

7 DATED: February 12, 2018

WILMER CUTLER PICKERING HALE AND DORR
LLP

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9

By: /s/ Christopher T. Casamassima

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Christopher T. Casamassima

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Attorneys for Defendant

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GAIN Capital Group, LLC

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2 **SIGNATURE ATTESTATION**

3 I, Jamie D. Wells am the ECF User whose identification and password are being used to
4 file the foregoing Joint Stipulation To Continue Case Management Conference And Extend
5 Deadlines Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in
6 the filing of this document has been obtained.
7

8 By: /s/Jamie D. Wells
9 Jamie D. Wells
10

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on February 12, 2018, a copy of foregoing *Joint Stipulation to*
13 *Continue Case Management Conference and Extend Deadlines* was filed electronically. Notice
14 of this filing will be sent by operation of the Court's electronic filing system to all parties
15 indicated on the electronic filing receipt.
16

17
18 Dated: February 12, 2018

By: /s/Jamie D. Wells
Jamie D. Wells
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